

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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BRIAN HOPKINS, LIANA HOPKINS, and
SEAN HOPKINS,

Plaintiffs,

- against-

NOTICE OF MOTION
08-CV-2965 (NGG) (RML)

NATIONAL RAILROAD PASSENGER
CORPORATION a/k/a AMTRAK, and
MASSACHUSETTS BAY TRANSPORTATION
AUTHORITY,

Defendants.

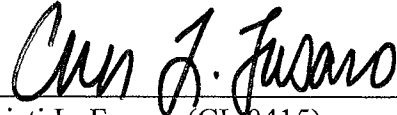
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PLEASE TAKE NOTICE, that upon the annexed Statement of Undisputed Material Facts pursuant to Local Rule 56.1, the Declaration of Cristi L. Fusaro, dated February 27, 2012, and exhibits thereto, the Declaration of Robert J. Verhelle ("Verhelle Decl."), and the accompanying Memorandum of Law, defendants National Railroad Passenger Corporation a/k/a Amtrak ("Amtrak") and Massachusetts Bay Transportation Authority ("MBTA"), will move this Court before the Hon. Nicholas G. Garaufis, U.S.D.J., in the United States District Court, 225 Cadman Plaza East, Brooklyn, New York, 11201, for an Order granting summary judgment and dismissing Plaintiffs' claims, with prejudice, pursuant to Fed.R.Civ.P. 56(c); and for such other and further relief as this Court deems just and proper.

PLEASE TAKE FURTHER NOTICE, that, pursuant to this Court's January 10, 2012 Order, Plaintiffs may respond to Defendants' motion by April 16, 2012, and Defendants may reply by April 30, 2012.

Dated: New York, New York
February 27, 2012

LANDMAN CORSI BALLAINE & FORD P.C.

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